


11-2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
REQUEST UNDER 37 CFR 3.81(b) TO CORRECT APPLICANTS' ERROR REGARDING INCORRECT ASSIGNMENT DATA	Atty. Docket No. VIGN1640-2



Applicant Conleth O'Connell, et al.	
Patent Number 7,360,025 B1	Issue Date April 15, 2008
For Method and System for Automatic Cache Management	
Application No. 10/733,742	Filing Date December 11, 2003

ATTN: Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<u>Certification of Transmission Under 37 C.F.R. 1.8</u>
I hereby certify that this correspondence is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450 via the U.S. Patent and Trademark Office Electronic Filing System (EFS-Web) on <u>2-4-</u> 2009.
 Signature
<u>STACY SUTTON KEEDY</u> Printed Name

Dear Sir:

The Assignee information for the above-identified U.S. patent application was inadvertently left out on the "PTOL Part B – Fee(s) Transmittal" submitted on February 28, 2008. It is respectfully requested that the attached Certificate of Correction be issued to the above-identified U.S. Patent.

Attached as Exhibit "A" is a copy of the Notice of Recordation of Assignment showing recordation of the Assignment from the inventors to Vignette Corporation, as recorded at REEL/FRAME 015364/0550 on May 24, 2004, evidencing Assignee's ownership of the above-listed patent.

Attached as Exhibit "B" is a copy of the Request for Certificate of Correction filed with the U.S. Patent and Trademark Office via the EFS-Web system on December 12, 2008.

Attached as Exhibit "C" is the letter dated December 31, 2008 from Mary Diggs with the Office of Decision & Certificates of Correction Branch. This letter advises Applicants to file a Request under 37 CFR 3.81 accompanied by the \$130.00 processing fee set forth in 37 CFR 1.117(h) along with a statement that the failure to include the correct Assignee data was inadvertent (Exhibit "D") and Notice of Recordation of Assignment document (see Exhibit "A" above).

02/06/2009 HVUONG1 00000008 503183 7360025

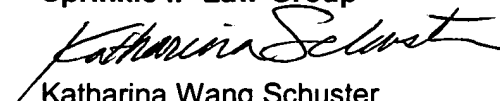
01 FC:1464 130.00 DA

Applicants respectfully request that this matter be forwarded to the Certificates of Correction Branch for issuance of a Certificate of Correction, if this Request under 37 CFR 3.81 is granted.

The Commissioner is hereby authorized to charge the above-listed fee, along with any other fees deemed appropriate against Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

Sprinkle IP Law Group


Katharina Wang Schuster
Reg. No. 50,000

Date: Jan. 26, 2009
1301 W. 25th Street, Suite 408
Austin, Texas 78705
Tel. (512) 637-9225
Fax. (512) 371-9088



EXHIBIT
" A "

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOVEMBER 16, 2004

PTAS

GRAY, CARY, WARE & FREIDENRICH LLP
2000 UNIVERSITY AVENUE
E. PALO ALTO, CA 94303-2248



102763946A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/24/2004

REEL/FRAME: 015364/0550

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: VIGN1640-2

ASSIGNOR:

O'CONNELL, CONLETH

DOC DATE: 04/23/2004

ASSIGNOR:

SCHEEVEI, MARK R.

DOC DATE: 04/23/2004

ASSIGNOR:

RAJKUMAR, N. ISAAC

DOC DATE: 04/23/2004

ASSIGNEE:

VIGNETTE CORPORATION
1601 SOUTH MOPAC EXPRESSWAY
TWO BARTON SKYWAY
AUSTIN, TEXAS 78746

015364/0550 PAGE 2

SERIAL NUMBER: 10733742

FILING DATE: 12/11/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: METHOD AND SYSTEM FOR AUTOMATIC CACHE MANAGEMENT

LENELL MACKALL, SUPERVISOR
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

05-27-2004

D8

Form PTO-1595

102763946
PATENTS ONLY

Attorney Docket No.: VIGN1640-2

SHEET

To the Honorable Commissioner for Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of Conveying party(ies):

Conleth O'Connell
Mark R. Scheevel
N. Isaac Rajkumar

S. 24-04

2. Name and address of receiving Party(ies):

Name: VIGNETTE CORPORATION
Two Barton Skyway
1601 South MoPac Expressway
Austin, TX 78746

Additional name(s) of conveying party(ies)
Attached? ☐ Yes ☒ No

Additional name(s) & address(es) attached?
☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ : Merger
☐ Security Agreement ☐ : Change of name
☐ Other:

Execution Date: April 23, 2004

Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 10/733,742

B. Patent No.(s)

Additional numbers attached? ☐ Yes : ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name Customer No. 25094
Gray Cary Ware & Freidenrich LLP
1221 So. MoPac Expressway
Suite 400
Austin, Texas 78746

6. Total number of Applications and patents involved: 1

7. Total fee (37 CFR 3.41).... \$ 40.00

8. ☒ Enclosed

9. ☐ Authorized to charge the recordation fee or any underpayment to deposit account No. 50-0456.
A duplicate copy of this page is attached.

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document

Ari G. Akmal
Reg. No. 51,388

May 18, 2004
Date

Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this document is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450 on May 18, 2004.

Laura M. McGuire

Total number of pages including cover sheet, attachments, and document: 3

05/26/2004 ECOOPER 00000130 10733742

01 FC:8021

40.00 UP

AU4128013.1
2101905-991642

ASSIGNMENT

This Assignment is made by **Conleth O'Connell**, of **Austin, Texas**, **Mark R. Scheevel**, of **Austin, Texas**; and **N. Isaac Rajkumar**, of **Austin, Texas** ("Assignors").

WHEREAS, Assignors have invented a new and useful invention entitled **METHOD AND SYSTEM FOR AUTOMATIC CACHE MANAGEMENT**, for which an application for United States Letters Patent was made on December 11, 2003, bearing an application number of 10/733,742; and

WHEREAS, Assignors believe themselves to be the original inventors of the invention including any and all improvements disclosed in said application ("Invention"); and

WHEREAS, the parties desire to have a recordable instrument assigning the entire right, title and interest in and to said Invention, said application, on any subsequently filed divisional, continuation, continuation-in-part, re-examination, reissue or other application, and any patents, invention registrations or other forms of protection ("Patents") that may be granted for said Invention in the United States and throughout the world;

NOW, THEREFORE, in accordance with the obligations to assign the Invention and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign, and transfer to **Vignette Corporation** having a principal place of business at **Two Barton Skyway, 1601 South MoPac Expressway, Austin, Texas 78746** (hereinafter referred to as "Assignee"), the entire right, title, and interest in and to said Invention, said application and any Patents that may be granted for said Invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and/or their legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing the Patents in the United States and throughout the world for said Invention, and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said Invention, said application, and any Patents granted for said Invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner for Patents of the United States and of all foreign countries to issue any Patents granted for said Invention, whether on said application or on any subsequently filed divisional, continuation, continuation-in-part, re-

-2-

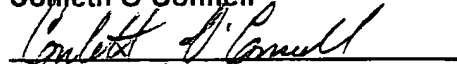
examination, reissue or other application, to Assignee, its successors and assigns, as the assignee of the entire interest in said Invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the dates provided below.

Name of First Inventor:

Conleth O'Connell

Signature:



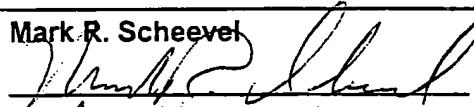
Date:

4/23/04

Name of Second Inventor:

Mark R. Scheevel

Signature:



Date:

April 23, 2004

Name of Third Inventor:

N. Isaac Rajkumar

Signature:

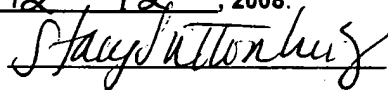


Date:

4/23/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
REQUEST FOR CERTIFICATE OF CORRECTION	Atty. Docket No. VIGN1640-2
Applicant Conleth O'Connell, et al.	
Patent Number 7,360,025 B1	Issue Date April 15, 2008
For Method and System for Automatic Cache Management	
Application No. 10/733,742	Filing Date December 11, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing Under 37 C.F.R. 1.8
<p>I hereby certify that this correspondence is being deposited electronically using the United States Patent Office EFS-Web system on <u>12-12</u>, 2008.</p> <p align="center"></p> <p align="center"><u>STACY SUTTON KERBY</u> Printed Name</p>

Dear Sir:

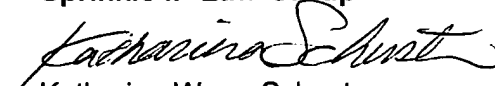
The Assignee information for the above-identified U.S. patent application was inadvertently left out on the "PTOL Part B – Fee(s) Transmittal" submitted on February 28, 2008. The omission was an unintentional mistake on the part of the Applicant. It is respectfully requested that the attached Certificate of Correction be issued to the above-identified U.S. Patent.

Attached as Exhibit "A" is a copy of the Notice of Recordation of Assignment showing recordation of the Assignment from the inventors to Vignette Corporation, as recorded at REEL/FRAME 015364/0550 on May 24, 2004, evidencing Assignee's ownership of the above-listed patent.

The Commissioner is hereby authorized to charge the appropriate fee, if any, against Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

Sprinkle IP Law Group


Katharina Wang Schuster
Reg. No. 50,000

Date: Dec. 12, 2008
1301 W. 25th Street, Suite 408
Austin, Texas 78705
Tel. (512) 637-9225
Fax. (512) 371-9088

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO.: 7,360,025 B1
APPLICATION NO. 10/733,742
ISSUE DATE: April 15, 2008
INVENTOR(S): Conleth O'Connell. *et al.*

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Please insert the following Assignee information:

--Vignette Corporation, Austin, Texas--

MAILING ADDRESS OF SENDER:

Sprinkle IP Law Group
1301 W. 25th Street
Suite 408
Austin, Texas 78705
Tel. (512) 637-9220
Fax. (512) 371-9088

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comment on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231

DKT/FILE**Acknowledgement Receipt**


The USPTO has received your submission at **18:10:21** Eastern Time on **12-DEC-2008**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

eFiled Application Information

EFS ID	4449685
Application Number	10733742
Confirmation Number	8405
Title	METHOD AND SYSTEM FOR AUTOMATIC CACHE MANAGEMENT
First Named Inventor	Conleth O'Connell
Customer Number or Correspondence Address	44654
Filed By	Katharina W. Schuster/Stacy Sutton Kerby
Attorney Docket Number	VIGN1640-2
Filing Date	11-DEC-2003
Receipt Date	12-DEC-2008
Application Type	Utility under 35 USC 111 (a)

Application Details

Submitted Files	Page Count	Document Description	File Size	Warnings
VIGN1640-2- signed_Certificate_Correction.pdf	8	Request for Certificate of Correction	184394 bytes	 PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this

DKT/FILE

Acknowledgement Receipt will establish the international filing date of the application.

If you need help:

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent e-Filing.*
- *Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).*
- *If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.*



UNITED STATES PATENT AND TRADEMARK OFFICE

EXHIBIT

" C "

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Patent No. : 7,360,025 B1
Ser. No. : 10/733,742
Inventor(s) : Conleth O'Connell, et. al.
Issued : April 15, 2008
Title : METHOD AND SYSTEM FOR AUTOMATIC CACHE MANAGEMENT
Docket No. : Vigni640-2

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rule(s) 1.322.

Assignees' names and addresses (assignment data) printed in a patent, are based *solely* on information supplied in the appropriate space for identifying the assignment data, i.e., item 3 of the Issue Fee Transmittal Form PTOL-85B. Granting of a request under 37 CFR 3.81(b) is required to correct applicant's error providing incorrect or erroneous assignment data, *before* issuance of a Certificate of Correction, under 37 CFR 1.323 (*see Manual of Patent Examining Procedures (M.P.E.P) Chp. 1400, sect. 1481*). This procedure is required *at any time after the issue fee is paid*, including after issuance of the patent.

In view of the foregoing, your request is hereby denied.

A request to correct the Assignee under 37 CFR 3.81(b) should include:

- A. the processing fee set forth in 37 CFR 1.117(h) (currently \$130);
- B. a statement that the failure to include the correct assignee name on the PTOL-85B was inadvertent; and
- C. a copy of the Notice of Recordation of Assignment Document, reflecting the reel and frame number where the assignment(s) is recorded and/or reflecting proof of the date the assignment was submitted for recordation.

In the Request, Applicant(s) may request that the file be forwarded to Certificates of Correction Branch, for issuance of a Certificate of Correction, if the Request is granted.

Any request under 37 CFR 3.81(b) should be directed to the following address or facsimile number:

By mail: Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

RECEIVED

JAN 03 2009

Docketed by: SSK
Docket #: _____

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (703) 872-9306
ATTN: Office of Petitions

If a fee (currently \$100) was previously submitted for consideration of a Request for Certificate of Correction, under CFR 1.323, to correct assignment data, , no additional fee is required.

Eva James
For Mary Diggs
Decisions & Certificates
of Correction Branch
(703) **308-9390 ext. 124** or 125

Spinkle IP Law Group
1301 W. 25th Street, Suite 408
Austin, Texas 78705

ej

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
STATEMENT ACCOMPANYING REQUEST UNDER 37 CFR 3.81(b) TO CORRECT INADVERTENT ASSIGNMENT DATA ERROR	Atty. Docket No. VIGN1640-2

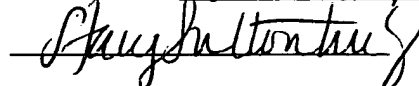


Applicant Conleth O'Connell, et al.	
Patent Number 7,360,025 B1	Issue Date April 15, 2008
For Method and System for Automatic Cache Management	
Application No. 10/733,742	Filing Date December 11, 2003

ATTN: Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being sent via facsimile to 703) 872-9306 ATTN: Office of Petitions at the United States Patent Office on Jan. 27, 2009.


STACY SUTTON KERBY
Printed Name

Dear Sir:

In response to the letter dated December 31, 2008 from Mary Diggs with the Office of Decision & Certificates of Correction Branch, Applicants' representatives submit the following statement:

I Stacy Sutton Kerby, Patent Paralegal with the firm of Sprinkle IP Law Group, prepared and electronically filed the Issue Fee payment and form PTOL-85 for the above-listed matter on February 28, 2008. In preparing the Issue Fee payment papers, I inadvertently left off the proper Assignee's name in section 3 of the PTOL-85 form. The correct Assignee's name is "Vignette Corporation". The failure to include the correct Assignee data was inadvertent.


Stacy Sutton Kerby

Date: 1-25-2009